

1 IN THE U.S. DISTRICT COURT FOR THE NORTHERN
2 DISTRICT OF GEORGIA

3 Case No.: 1:21 CV-02003-MHC-LTW

4 JEFFREY CORDTZ,

5 Plaintiff,

6 v.

7 JOHNSON LEGAL OFFICES, LLC, et al.,

8 Defendant.

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11
12 REMOTE DEPOSITION
13 OF LARRY JOHNSON

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15
16 PRIORITY ONE COURT REPORTING SERVICES, INC.

17 290 West Mt. Pleasant Ave, Suite 2260

18 Livingston, New Jersey 07039

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25 JOB NO.: 4798910

<p style="text-align: right;">Page 2</p> <p>1</p> <p>2</p> <p>3 Transcript of the deposition of the</p> <p>4 LARRY JOHNSON, called for Oral Examination in</p> <p>5 the above-captioned matter, said Deposition</p> <p>6 being taken pursuant to Federal Rules of</p> <p>7 Civil Procedure by and before RANDI J.</p> <p>8 GARCIA, Registered Professional Reporter, and</p> <p>9 Notary Public, via Zoom, on Monday, September</p> <p>10 13, 2021, commencing at approximately 2:13</p> <p>11 p.m.</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 L A R R Y J O H N S O N, after having been</p> <p>2 first duly sworn, was examined and testified</p> <p>3 as follows:</p> <p>4 MR. WEXLER: This is Shimshon Wexler</p> <p>5 taking the individual deposition of Larry</p> <p>6 Johnson, a defendant in a case in the</p> <p>7 Northern District of Georgia with the</p> <p>8 plaintiff Mr. Jeffrey Cordtz.</p> <p>9 EXAMINATION</p> <p>10 BY MR. WEXLER:</p> <p>11 Q. Mr. Johnson, have you ever had your</p> <p>12 deposition taken before?</p> <p>13 A. Yes.</p> <p>14 Q. How many times?</p> <p>15 A. I have been involved in so many</p> <p>16 depositions, I'm not really sure. Probably two</p> <p>17 or three times, but maybe more than that.</p> <p>18 Could have been five or six.</p> <p>19 Q. When did you learn about the FTCPA?</p> <p>20 A. I don't recall.</p> <p>21 Q. Was it 10 years ago?</p> <p>22 A. Sure.</p> <p>23 Q. When you had the practice of Johnson</p> <p>24 & Freedman you knew about the FTCPA?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 3</p> <p>1 A P P E A R A N C E S:</p> <p>2</p> <p>3 For the Plaintiff:</p> <p>4 By: Shimshon Wexler, Esq.</p> <p>5 Wexler Law Office LLC</p> <p>6 2244 Henderson Mill Rd., Suite 108</p> <p>7 Atlanta, GA 30345</p> <p>8</p> <p>9 For the Defendant:</p> <p>10 By: Mark A. Baker, Esq.</p> <p>11 McMichael Taylor Gray, LLC</p> <p>12 Peachtree Corners</p> <p>13 3550 Engineering Drive, Suite 260</p> <p>14 Peachtree Corners, GA 30092</p> <p>15</p> <p>16</p> <p>17 I N D E X</p> <p>18</p> <p>19 WITNESS: LARRY JOHNSON</p> <p>20</p> <p>21 EXAMINATION PAGE</p> <p>22</p> <p>23 By Mr. Wexler:4</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 Q. What was your reason for knowing</p> <p>2 about the FTCPA when you had the Johnson &</p> <p>3 Freedman law firm?</p> <p>4 A. I would go to conferences and people</p> <p>5 would speak about it, and certainly were aware</p> <p>6 of the FTCPA.</p> <p>7 Q. And did it impact your practice at</p> <p>8 all at Johnson & Freedman?</p> <p>9 A. Did it impact my practice? It's a</p> <p>10 federal law that we were aware of and tried to</p> <p>11 comply with when we believe that it applies.</p> <p>12 Q. When is your understanding that it</p> <p>13 applied when you were at Johnson & Freedman?</p> <p>14 A. If the law firm or an attorney was</p> <p>15 attempting to collect a consumer debt.</p> <p>16 Q. Did Johnson & Freedman do that?</p> <p>17 A. Yes.</p> <p>18 Q. Did Johnson & Freedman collect</p> <p>19 deficiency judgments?</p> <p>20 A. Typically, no.</p> <p>21 Q. But sometimes yes?</p> <p>22 A. Are you talking about deficiency of a</p> <p>23 foreclosure of a real property?</p> <p>24 Q. Yes. What type of deficiency were</p> <p>25 you thinking?</p>

<p style="text-align: right;">Page 6</p> <p>1 A. Well, there's different types of</p> <p>2 deficiencies.</p> <p>3 Q. Why don't you take me through the</p> <p>4 different types of deficiencies.</p> <p>5 A. I don't know them all, but you would</p> <p>6 have a deficiency on a note, like, for a car,</p> <p>7 for instance.</p> <p>8 Q. What types of deficiencies did you</p> <p>9 collect?</p> <p>10 A. Me, personally, I didn't collect</p> <p>11 really any. Is that what you're asking me,</p> <p>12 what me, personally?</p> <p>13 Q. The law firm of Johnson & Freedman.</p> <p>14 A. We typically did not collect</p> <p>15 deficiency for foreclosures. Although, it may</p> <p>16 have happened a couple of times. There may</p> <p>17 have been instances where we attempted to</p> <p>18 collect for auto deficiencies.</p> <p>19 Q. Sorry, what was that other word?</p> <p>20 A. Auto deficiency.</p> <p>21 Q. Auto. So you collected on auto notes</p> <p>22 as well?</p> <p>23 A. Yes.</p> <p>24 Q. And can you tell me a little bit</p> <p>25 about the Johnson & Freedman law firm? When</p>	<p style="text-align: right;">Page 8</p> <p>1 since Johnson & Freedman?</p> <p>2 A. I guess I'm confused by the question.</p> <p>3 Q. So after Johnson & Freedman closed,</p> <p>4 ceased operations, what did you do after that?</p> <p>5 A. So we stopped operations in the</p> <p>6 summer of 2013, and I joined another law firm</p> <p>7 called RCO Legal that is headquartered out of</p> <p>8 Seattle, Washington. All our firm -- basically</p> <p>9 we left the office on Friday, and we were</p> <p>10 Johnson & Freedman employees, and then on</p> <p>11 Monday when we came back to the office, we were</p> <p>12 RCO Legal employees.</p> <p>13 Q. And how long did RCO Legal last?</p> <p>14 A. We worked with them until</p> <p>15 September 10, 2015.</p> <p>16 Q. And RCO Legal was what type of -- was</p> <p>17 what type of business?</p> <p>18 A. We were a law firm.</p> <p>19 Q. And what did they -- who did they</p> <p>20 represent?</p> <p>21 A. They represented lenders similar to</p> <p>22 what Johnson & Freedman -- who Johnson &</p> <p>23 Freedman represented.</p> <p>24 Q. Did they do credit card collections?</p> <p>25 A. I don't believe so.</p>
<p style="text-align: right;">Page 7</p> <p>1 did it start?</p> <p>2 A. Johnson & Freedman originally started</p> <p>3 as Morris, Schneider and Prior in approximately</p> <p>4 1993. Then it became Morris, Schneider, Prior,</p> <p>5 Johnson & Freedman, and then Mr. Morris,</p> <p>6 Mr. Prior and Mr. Schneider withdrew at some</p> <p>7 point in approximately 2009, and it became</p> <p>8 Johnson & Freedman.</p> <p>9 Q. What was Johnson & Freedman's</p> <p>10 business?</p> <p>11 A. We were a law firm that represented</p> <p>12 lenders.</p> <p>13 Q. What types of lenders?</p> <p>14 A. Lenders, like banks.</p> <p>15 Q. Credit card company?</p> <p>16 A. I think there was a time when we did</p> <p>17 some credit card debt, yes.</p> <p>18 Q. Auto lenders?</p> <p>19 A. I think there was a time we did that.</p> <p>20 We ceased operations in 2013, so it has been</p> <p>21 over eight years ago.</p> <p>22 Q. Okay.</p> <p>23 A. We ceased operations, so I'm</p> <p>24 answering -- it has been almost a decade ago.</p> <p>25 Q. Can you walk me through what happened</p>	<p style="text-align: right;">Page 9</p> <p>1 Q. What was your position at RCO Legal?</p> <p>2 A. I think my technical position was</p> <p>3 vice president of the southeast.</p> <p>4 Q. What did you do in that position?</p> <p>5 A. I oversaw the operations of the firm</p> <p>6 in Atlanta and covered the southeast.</p> <p>7 Q. The operations entailed collecting</p> <p>8 credit card debt?</p> <p>9 A. I don't believe so. And to the</p> <p>10 extent that it did, they wound it down</p> <p>11 immediately because they had a issue with</p> <p>12 their -- some state department in the State of</p> <p>13 Washington.</p> <p>14 Q. So what types of practice areas did</p> <p>15 you oversee?</p> <p>16 A. The firm did what -- in general, we</p> <p>17 did foreclosures, bankruptcies, evictions and</p> <p>18 litigation. I was a managing partner when it</p> <p>19 was Johnson & Freedman, and then a Joel</p> <p>20 Freedman and myself oversaw the operation that</p> <p>21 was at our Atlanta office.</p> <p>22 Q. What type of litigation?</p> <p>23 A. All types.</p> <p>24 Q. Could you give me an example?</p> <p>25 Collections work?</p>

<p style="text-align: right;">Page 10</p> <p>1 A. No. We didn't do collections. We</p> <p>2 did -- at times, individuals would sue their</p> <p>3 bank or their mortgage companies, and we would</p> <p>4 defend those lawsuits. I generally would have</p> <p>5 a personal injury lawsuit or two, depending --</p> <p>6 a paralegal would get in a car wreck and we</p> <p>7 would represent them. That type of litigation.</p> <p>8 We -- I -- I have done appellate work, both in</p> <p>9 state and federal courts. Whatever our client</p> <p>10 would need.</p> <p>11 Q. Did you do -- you mentioned you did</p> <p>12 foreclosures in the southeast.</p> <p>13 A. Right.</p> <p>14 Q. So that would include Florida?</p> <p>15 A. For a time, we did foreclosures in</p> <p>16 Florida, yes.</p> <p>17 Q. And did you participate in the</p> <p>18 foreclosures, or your position was overseeing</p> <p>19 them?</p> <p>20 A. Yeah. I oversaw them. Joel actually</p> <p>21 ran the foreclosure group.</p> <p>22 Q. What would -- what would overseeing</p> <p>23 entail?</p> <p>24 A. Keeping the clients happy. Trying to</p> <p>25 make sure that everything was done properly.</p>	<p style="text-align: right;">Page 12</p> <p>1 A. I only do litigation, because that</p> <p>2 was my background. I handled matters that, you</p> <p>3 know, if the client gets sued, I do commercial</p> <p>4 litigation. I do some personal injury files.</p> <p>5 I usually have two or three of those going at</p> <p>6 any given time. Things like that.</p> <p>7 Q. It's been the same, pretty much, from</p> <p>8 September 10, 2015?</p> <p>9 A. Yes.</p> <p>10 Q. Do you ever handle foreclosures?</p> <p>11 A. Yes.</p> <p>12 Q. What would -- when would that come</p> <p>13 up?</p> <p>14 A. So I have one client that is a local</p> <p>15 client in Georgia that still refers foreclosure</p> <p>16 files to me.</p> <p>17 Q. What is that client's name?</p> <p>18 A. State Home Mortgage.</p> <p>19 Q. State Home Mortgage. How many files</p> <p>20 did they refer to you per year?</p> <p>21 A. Well, you know, as I responded in my</p> <p>22 discovery, I looked at it for the last year and</p> <p>23 I have gotten three.</p> <p>24 Q. What about the year before that?</p> <p>25 A. I'm not really sure, but they</p>
<p style="text-align: right;">Page 11</p> <p>1 Joel would have to really testify to that,</p> <p>2 because he is the one that did that.</p> <p>3 Q. So you would consider yourself a debt</p> <p>4 collector at RCO Legal, yes?</p> <p>5 A. I believe I would fall in that</p> <p>6 category or certainly be with a firm that would</p> <p>7 fall in that category.</p> <p>8 Q. You think being with that firm would</p> <p>9 qualify you as a debt collector as well?</p> <p>10 A. I don't know, because I didn't really</p> <p>11 actively, you know, oversee stuff. I didn't</p> <p>12 actively handle files. And if there was a file</p> <p>13 I actively handled, it was never a debt</p> <p>14 collection file. So I just don't know if that</p> <p>15 would mean that I was a debt collector versus</p> <p>16 the law firm.</p> <p>17 Q. What happened after September 10,</p> <p>18 2015?</p> <p>19 A. I incorporated Johnson Legal Offices</p> <p>20 and worked since then as the sole attorney of</p> <p>21 Johnson Legal Offices, LLC.</p> <p>22 Q. Do you have staff?</p> <p>23 A. No.</p> <p>24 Q. Can you tell me about Johnson Legal</p> <p>25 Offices, LLC?</p>	<p style="text-align: right;">Page 13</p> <p>1 probably -- it is not many more than that.</p> <p>2 They are not a large company. I would say five</p> <p>3 to seven.</p> <p>4 Q. How would you describe State Home</p> <p>5 Mortgage's business?</p> <p>6 A. They are actually owned by the State</p> <p>7 of Georgia. The State of Georgia has its own</p> <p>8 mortgage company, and that is -- that's who it</p> <p>9 is.</p> <p>10 Q. Who do they lend to?</p> <p>11 A. Mostly Georgia residents.</p> <p>12 Q. Could I get a loan from State Home</p> <p>13 Mortgage?</p> <p>14 A. I don't know their criteria.</p> <p>15 Q. You would describe them as a smallish</p> <p>16 type of company?</p> <p>17 A. Yes.</p> <p>18 Q. So I'm sorry for interrupting. We</p> <p>19 were getting back -- going through the -- from</p> <p>20 September 10, 2015. So we have a Johnson Legal</p> <p>21 Offices, and you engaged in litigation for</p> <p>22 them?</p> <p>23 A. Yes.</p> <p>24 Q. What happens -- what happens next?</p> <p>25 So you're doing litigation, you're doing</p>

<p style="text-align: right;">Page 14</p> <p>1 foreclosures. Who else do you do foreclosures 2 for?</p> <p>3 A. That is really the only company that 4 refers me foreclosures. I don't have staff, 5 but another law firm in Birmingham has staff 6 that handles the letters and posting 7 advertisements. The client typically arranges 8 for the crying of the sale. I don't do it 9 myself. What I do mostly myself is, I litigate 10 and handle litigation.</p> <p>11 Q. Who is that firm in Alabama?</p> <p>12 A. It's called Jauregui. I'm not sure if 13 I'm pronouncing it correctly. It's 14 J-A-U-R-E-G-U-I and Lindsey, L-I-N-D-S-E-Y.</p> <p>15 Q. They do -- they do the back-office 16 work for your foreclosure work?</p> <p>17 A. Foreclosure work that they would 18 handle all the back-office work.</p> <p>19 Q. Who's your clients that they work 20 with?</p> <p>21 A. State Home Mortgage is the only 22 client I have.</p> <p>23 Q. They do the work for federal home 24 mortgage?</p> <p>25 A. No, State Home Mortgage.</p>	<p style="text-align: right;">Page 16</p> <p>1 A. Correct.</p> <p>2 Q. How often did you help them with 3 their client?</p> <p>4 A. Whenever they need any assistance, I 5 give them legal -- legal assistance.</p> <p>6 Q. How often do they request your help?</p> <p>7 A. I don't know.</p> <p>8 Q. They have been requesting your help 9 since September 10, 2015?</p> <p>10 A. No, I don't think so. When I left 11 RCO Legal, it happened fairly quickly, and I 12 didn't incorporate Johnson Legal -- I mean, I 13 had to do an operating agreement and get all 14 that paperwork filed with the State of Georgia. 15 So I had an LLC in place. It took me about a 16 month to get all that done. And it was some 17 time after that. I don't remember exactly 18 when, but it wasn't immediately.</p> <p>19 Q. It might have been 2016?</p> <p>20 A. Yes.</p> <p>21 Q. And do they pay you a salary or an 22 hourly rate?</p> <p>23 A. No. We -- we have a fee agreement. 24 I get a portion of the fee.</p> <p>25 Q. What's the fee agreement?</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. This Alabama law firm helps you with 2 the paperwork for State Home Mortgage?</p> <p>3 A. Yes. They send the notices, they do 4 the ads. They or the client arranges for the 5 crying of sale. It means the -- the crying of 6 the sale. That is where someone goes and -- 7 actually goes to the courthouse and conducts an 8 auction. We call it crying of the sale. They 9 would -- the client or that firm would arrange 10 for that. They would arrange for title to be 11 searched, and they generally record the deed, 12 if it goes back to the lender. Sometimes if an 13 individual purchases the property, the 14 foreclosure, they want them to handle the 15 reporting themselves. It just depends.</p> <p>16 Q. That is only for State Home Mortgage?</p> <p>17 A. That is the only client that I have 18 that do that for us, correct.</p> <p>19 Q. Because we have the letter that I 20 attached to the opposition to the motion -- to 21 your motion to dismiss, it had a different 22 client. It was not State Home Mortgage.</p> <p>23 A. That is their client.</p> <p>24 Q. You help them with their clients as 25 well?</p>	<p style="text-align: right;">Page 17</p> <p>1 A. I generally get a third and they get 2 two thirds, I believe.</p> <p>3 Q. Of what fee?</p> <p>4 A. Whatever fee is generated on a file 5 that we work together on.</p> <p>6 Q. So you got one third of whatever fee 7 is generated on a file, and that would include 8 foreclosures that you conduct for them, that 9 you helped them with?</p> <p>10 A. Yes.</p> <p>11 Q. What is your deal with State Home 12 Mortgage when you do -- when you do work for 13 State Home Mortgage?</p> <p>14 A. It's the same.</p> <p>15 Q. You only get a third?</p> <p>16 A. Right.</p> <p>17 Q. So whether you bring the client or 18 they bring the client, you're only getting a 19 third?</p> <p>20 A. That is right.</p> <p>21 Q. Do you have a formal relationship 22 with the Jauregui and Lindsey law firm?</p> <p>23 A. I do. I personally do.</p> <p>24 Q. What is that relationship?</p> <p>25 A. It's an of-counsel agreement.</p>

<p style="text-align: right;">Page 18</p> <p>1 Q. That is the two thirds/one third --</p> <p>2 A. Yes.</p> <p>3 Q. -- that you told me about? That's</p> <p>4 why you're on their website?</p> <p>5 A. I haven't -- I haven't looked at</p> <p>6 their website. I don't know. But if I'm on</p> <p>7 there, it's because I'm of counsel.</p> <p>8 Q. You permitted -- you permitted</p> <p>9 your -- your name to appear on that website.</p> <p>10 You're not doing it without authorization?</p> <p>11 A. I didn't know it was on there until</p> <p>12 you just told me, so I don't -- I don't</p> <p>13 remember having a discussion with them about</p> <p>14 that.</p> <p>15 Q. Did you prohibit it?</p> <p>16 A. No.</p> <p>17 Q. Are you okay with it?</p> <p>18 A. I don't have a problem with it, no.</p> <p>19 Q. So you're not going to call them</p> <p>20 after this deposition and ask them to take it</p> <p>21 down, are you?</p> <p>22 A. No.</p> <p>23 Q. That is because you consider yourself</p> <p>24 of counsel to that firm?</p> <p>25 A. We have an of-counsel agreement.</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. Do you know how much?</p> <p>2 A. It would not be very much.</p> <p>3 Q. Is it a thousand dollars?</p> <p>4 A. I would only have to guess, but I've</p> <p>5 gotten very little.</p> <p>6 Q. Is it a thousand dollars?</p> <p>7 A. It was probably more than a thousand.</p> <p>8 It might be 5000. It might be 7000. It might</p> <p>9 be something like that.</p> <p>10 Q. But it's not 40,000?</p> <p>11 A. No.</p> <p>12 Q. Do you have this kind of of-counsel</p> <p>13 relationship with any other law firm?</p> <p>14 A. Not that I recall. And I answered</p> <p>15 that way because we've had of-counsel</p> <p>16 relationships when we were at Johnson &</p> <p>17 Freedman and RCO Legal. I don't believe I have</p> <p>18 any with -- that are -- I'm sorry, RCO Legal</p> <p>19 and Johnson & Freedman -- I don't believe I</p> <p>20 have any since I created Johnson Legal Offices,</p> <p>21 other with than with Jauregui and Lindsey.</p> <p>22 Q. The client that I found on Pacer</p> <p>23 where you were with Jauregui and Lindsey, that</p> <p>24 was part of the fee agreement? That was</p> <p>25 their -- that was Jauregui's client?</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. And where could I find out how much</p> <p>2 you earned from that of-counsel arrangement</p> <p>3 with the Jauregui law firm?</p> <p>4 A. I don't know. You probably could --</p> <p>5 from them, maybe.</p> <p>6 Q. What about from you?</p> <p>7 A. I don't really designate it in my --</p> <p>8 I'm a small one, single practice. The majority</p> <p>9 of what I do is litigation. So I don't keep up</p> <p>10 with it separately. You know what I mean?</p> <p>11 It's not something I have a box, where I put in</p> <p>12 a check I get from them and box I put somewhere</p> <p>13 else. It all goes in the coffer. Make sense?</p> <p>14 Q. Yes. But if you tried to do it, you</p> <p>15 could do it; correct? If you wanted to, you</p> <p>16 have records of how much they -- of how much</p> <p>17 they paid you?</p> <p>18 A. I have records of being paid. I</p> <p>19 really don't keep it separate, is what I'm</p> <p>20 trying to explain to you. I don't keep that</p> <p>21 separate.</p> <p>22 Q. Have they paid you for the year --</p> <p>23 what are we in -- 2021? Have they paid you</p> <p>24 anything this year?</p> <p>25 A. Sure, they have.</p>	<p style="text-align: right;">Page 21</p> <p>1 A. That is right.</p> <p>2 Q. Now we are going back, and you have</p> <p>3 done litigation foreclosure work -- which</p> <p>4 states are you licensed in?</p> <p>5 A. I'm licensed in Georgia and</p> <p>6 Tennessee.</p> <p>7 Q. Does Tennessee do judicial or</p> <p>8 nonjudicial foreclosure?</p> <p>9 A. Tennessee is a trustee state that</p> <p>10 handles its foreclosures nonjudicial.</p> <p>11 Q. Going back to the history of Johnson</p> <p>12 Legal Offices. So you've had this relationship</p> <p>13 representing State Home Mortgage, and you have</p> <p>14 been with -- of-counsel with this Jauregui</p> <p>15 firm. What else have you done?</p> <p>16 A. I have my own surety bond agency. I</p> <p>17 do marketing for that surety bond agency.</p> <p>18 Q. Did you start that surety bond</p> <p>19 agency?</p> <p>20 A. So this particular agency, I went</p> <p>21 into partnership with -- he is not a lawyer,</p> <p>22 but he is my partner on the surety bond agency</p> <p>23 side, and he left a different agency and then</p> <p>24 we created our agency together. When it</p> <p>25 started, it was me and him and Joel Friedman.</p>

<p style="text-align: right;">Page 22</p> <p>1 The three of us owned a third, a third, a third 2 of the surety bond agency. 3 Q. And is the surety bond agency 4 separate from Johnson Legal Offices or are 5 those -- do you see those as the same? 6 A. No. They are completely separate. 7 Q. They are completely separate. 8 A. Yes. 9 Q. Why is it that you use the surety 10 bond agency e-mail address when we're 11 communicating about this case? 12 A. Because that is my e-mail address 13 that I use. 14 Q. That is just for convenience, but it 15 doesn't represent -- those entities are totally 16 separate? 17 A. That is correct. 18 Q. And tax returns, Johnson Legal 19 Offices has a -- its tax return is completely 20 separate from the surety bond agency? 21 A. So the surety bond agency has its own 22 tax return. Johnson Legal Offices is a single 23 party LLC. The tax returns goes through my 24 personal tax returns. 25 Q. Does Johnson Legal Offices provide</p>	<p style="text-align: right;">Page 24</p> <p>1 in litigation. 2 Q. Do you have any other matters with 3 them or is this your only matter with them? 4 A. This is my only matter with them. 5 Q. Wilmington Savings Fund, the owner of 6 Aspen Holdings Trust, is this your only matter 7 with them or do you represent them in more than 8 this matter? 9 A. It's the only matter with them. 10 Q. You never represented Aspen 11 Properties Group LLC, APG Revocable Trust, 12 Wilmington Savings Fund or Aspen Holdings Trust 13 before; is that right? 14 A. I've never represented any of the 15 Aspen matters, but Wilmington Savings is a 16 company that operates as a trustee, and they -- 17 I have seen their name before in the last 15 18 years. So I would not say that I have never 19 represented them in a matter, but I certainly 20 haven't at Johnson Legal Offices. 21 Q. You don't have any ongoing 22 relationship with Wilmington Savings Fund? 23 A. No. 24 Q. So when you brought the Fulton County 25 lawsuit, you had a relationship with Aspen</p>
<p style="text-align: right;">Page 23</p> <p>1 any services to the surety bond agency? 2 A. You know, from time to time, very 3 infrequently, but it has before. Yes. 4 Q. It has been paid for those services? 5 A. Yes. 6 Q. Do you know how much? 7 A. Probably five grand over the last 8 eight years. 9 Q. Aside from the surety bond agency, 10 State Home Mortgage, and the relationship with 11 Jauregui, what else -- what else does Johnson 12 Legal Office -- I guess Johnson Legal Offices 13 doesn't even do the surety, but that is you. 14 So what else does Johnson Legal Offices do? 15 A. That's it. 16 Q. They have a relationship with the 17 lenders in this case, the Aspen Properties 18 Group, LLC as trustee of the APG Holdings 19 Revocable Trust; is that right? 20 A. I represent them in the litigation in 21 a matter was in Gwinnett County, as well as in 22 a matter that was in Fulton County as well. 23 Q. Okay. But tell me about your 24 relationship with them. 25 A. That's what I do. I represent them</p>	<p style="text-align: right;">Page 25</p> <p>1 Properties Group LLC, or who was your 2 relationship with when you brought the Fulton 3 County lawsuit in January 2021 against 4 Mr. Cordtz? 5 A. It was the named plaintiff in that 6 case. And I don't have that pleading in front 7 of me. Whoever the named plaintiff was in that 8 case. That's who that relationship was. 9 Q. Was there an individual? How did 10 they find you? 11 A. They actually -- I was asked to be 12 co-counsel from the other law firm that was 13 involved in that case before. I forget the 14 name off the top of my head. It is the same 15 firm that Mark Baker is with. 16 Q. The McMichael law firm didn't ask 17 you. It was actually Aspen that called you up 18 and asked you to do the representation? 19 A. No. McMichael, that firm, I believe 20 it was Mark called me and asked me if I would 21 co-counsel with him in representing Aspen in 22 that case. 23 Q. Aspen didn't call you? 24 A. That is correct. Except for the fact 25 that Mark Baker -- that firm represented Aspen</p>

<p style="text-align: right;">Page 26</p> <p>1 and then called me on Aspen's behalf. My</p> <p>2 understanding.</p> <p>3 Q. When you filed that Fulton County</p> <p>4 lawsuit, what was your review of the file</p> <p>5 before you sued for 200 and something thousand</p> <p>6 dollars?</p> <p>7 A. I had reviewed everything that had</p> <p>8 been provided to me that was involved in the</p> <p>9 case in Gwinnett County.</p> <p>10 Q. Anything else?</p> <p>11 A. I don't recall any documents that I</p> <p>12 necessarily reviewed separate from those. I</p> <p>13 don't recall that. But it could -- it</p> <p>14 certainly could have been the case. I'm sure I</p> <p>15 had some attorney-client privileged</p> <p>16 communications that I am not going to get into.</p> <p>17 Q. I just want facts.</p> <p>18 A. You asked about communications.</p> <p>19 Q. Okay.</p> <p>20 A. I'm not going to get into those. I</p> <p>21 had communications with Aspen. So I can say</p> <p>22 that. But beyond that, I don't recall</p> <p>23 because -- because it was kind of -- it was the</p> <p>24 same debt that was involved.</p> <p>25 Q. Did you review any monthly statements</p>	<p style="text-align: right;">Page 28</p> <p>1 connection when I started representing Aspen in</p> <p>2 the litigation. I was not aware of FCI.</p> <p>3 Q. By the time you answered the</p> <p>4 discovery requests you were aware; is that</p> <p>5 right?</p> <p>6 A. Well, you sued them in this case.</p> <p>7 And I think that is when I really became aware.</p> <p>8 But I'm not -- I might have become aware</p> <p>9 earlier, but I never considered myself to</p> <p>10 represent anybody other than the people I</p> <p>11 represented in the litigation. They could</p> <p>12 represent Bank of America, but just because I'm</p> <p>13 handling a case for them, doesn't mean I</p> <p>14 represent Bank of America too. I was handling</p> <p>15 a case on behalf of Aspen.</p> <p>16 Q. But Aspen works in conjunction with</p> <p>17 FCI to collect this debt; is that right?</p> <p>18 A. They could work in conjunction with</p> <p>19 FedEx, but it doesn't mean that I represent</p> <p>20 FedEx. But I do not represent FCI on this</p> <p>21 matter.</p> <p>22 Q. But you don't either represent Aspen</p> <p>23 directly; is that right? You're only</p> <p>24 connection with Aspen is through the McMichael</p> <p>25 law firm; is that right?</p>
<p style="text-align: right;">Page 27</p> <p>1 sent to Mr. Cordtz?</p> <p>2 A. I do not recall reviewing any monthly</p> <p>3 statements, no.</p> <p>4 Q. Were you aware that McMichael</p> <p>5 represented FCI Lender Services with respect to</p> <p>6 Mr. Cordtz?</p> <p>7 A. Not at that time.</p> <p>8 Q. Would it be fair to say that</p> <p>9 McMichael represents FCI Lender Services?</p> <p>10 A. You have to ask them. I know they do</p> <p>11 in this case, but you have to ask them about</p> <p>12 what they consider to be who they represent.</p> <p>13 Q. Now, if they represented FCI Lender</p> <p>14 Services, would you consider yourself to be</p> <p>15 representing FCI Lender Services?</p> <p>16 A. No.</p> <p>17 Q. Because they were -- if they're</p> <p>18 representing FCI Lender Services, and you're</p> <p>19 co-counseling with them, so you, by connection,</p> <p>20 are representing FCI Lender Services?</p> <p>21 A. No.</p> <p>22 Q. But you do represent Aspen Properties</p> <p>23 because of that same connection; is that right?</p> <p>24 A. I don't know about the connection</p> <p>25 with FCI. I wasn't aware there was any</p>	<p style="text-align: right;">Page 29</p> <p>1 A. No. I represent them directly.</p> <p>2 Q. Even though you've had no</p> <p>3 communications with them; is that right?</p> <p>4 A. No. I had communications with them.</p> <p>5 Q. What communications have you had with</p> <p>6 them? Facts. I don't want to hear the content</p> <p>7 of the communications.</p> <p>8 A. Phone calls.</p> <p>9 Q. And that was directly with Aspen?</p> <p>10 A. Yes.</p> <p>11 Q. And do you know the name of the</p> <p>12 individual you had a phone call with?</p> <p>13 A. I believe there were two individuals</p> <p>14 that I spoke with, but one of them was the</p> <p>15 affidavit -- person who signed the affidavit</p> <p>16 that I produced last week. I don't have that</p> <p>17 in front of me. It's the affidavit I filed in</p> <p>18 the Gwinnett case.</p> <p>19 Q. That was the person you spoke to</p> <p>20 before you filed the Fulton lawsuit?</p> <p>21 A. I don't remember the timing, but I</p> <p>22 believe I spoke with them before I filed the</p> <p>23 Fulton lawsuit.</p> <p>24 Q. But it was different parties; right?</p> <p>25 Because you actually filed the Fulton lawsuit</p>

<p style="text-align: right;">Page 30</p> <p>1 in the name of an entity that actually didn't</p> <p>2 own the loan; is that right?</p> <p>3 A. So I represented the party that I</p> <p>4 actually filed the lawsuit on behalf of.</p> <p>5 Q. What about the new party that</p> <p>6 actually -- that actually bought the account?</p> <p>7 Did a party buy the account?</p> <p>8 A. It was transferred, ultimately, to</p> <p>9 Wilmington Savings. I didn't -- as trustee, I</p> <p>10 didn't represent them in -- my recollection</p> <p>11 is -- and I'm pretty sure of this one -- I</p> <p>12 didn't represent Wilmington Savings in the</p> <p>13 Fulton case because we dismissed that case. We</p> <p>14 filed a motion in the Gwinnett case. And that</p> <p>15 was when I was under the impression that Aspen</p> <p>16 Property Holdings statutory -- Delaware</p> <p>17 Statutory Trust, I believe they held a note</p> <p>18 because defense counsel in that case provided</p> <p>19 me the letter of transfer. And he is the one</p> <p>20 that indicated to me that it had been purchased</p> <p>21 by Aspen Property Holdings.</p> <p>22 But later -- and we actually moved to</p> <p>23 have Aspen Property Holdings added to the</p> <p>24 lawsuit in Gwinnett, and then later we</p> <p>25 discovered that it was actually Wilmington</p>	<p style="text-align: right;">Page 32</p> <p>1 A. I don't believe so.</p> <p>2 Q. But you spoke to the same people that</p> <p>3 knew about both entities?</p> <p>4 A. Yeah. There were two people I spoke</p> <p>5 with.</p> <p>6 Q. I see. McMichael, have they asked</p> <p>7 you for help on other occasions?</p> <p>8 A. No.</p> <p>9 Q. I'm looking at the checks here that</p> <p>10 you produced. I see an invoice number</p> <p>11 MTGO1.005 for \$585. You don't know what that</p> <p>12 is about?</p> <p>13 A. All those invoices relate to this</p> <p>14 matter.</p> <p>15 Q. They relate to this matter.</p> <p>16 A. Whether it's a Gwinnett case or the</p> <p>17 case in Fulton.</p> <p>18 Q. What does AP stand for?</p> <p>19 A. I don't know what you're referring</p> <p>20 to.</p> <p>21 Q. They sent you \$5,480.85, and it is</p> <p>22 for consolidated check from AP.</p> <p>23 A. I would guess that means accounts</p> <p>24 payable. But you would have to ask them to be</p> <p>25 for sure.</p>
<p style="text-align: right;">Page 31</p> <p>1 Savings trustee of Aspen Property Holdings.</p> <p>2 Q. You mean Aspen Holdings Trust?</p> <p>3 A. Yes.</p> <p>4 Q. So if I'm not mistaken, you never</p> <p>5 represented Aspen Holdings Trust?</p> <p>6 A. No. Actually, I did.</p> <p>7 Q. So that is the one -- so that is the</p> <p>8 one who you had a conversation with prior to</p> <p>9 filing Fulton County?</p> <p>10 A. Yes. It was -- there was -- you</p> <p>11 know, there was an Aspen Properties -- and I'm</p> <p>12 sorry, I don't have the names in front of me.</p> <p>13 But there was an Aspen Properties that I</p> <p>14 originally represented, and then at some point,</p> <p>15 there was a transfer -- I believe there to be a</p> <p>16 transfer of Aspen Holdings Trust. So I had --</p> <p>17 there was a couple of people that I spoke with</p> <p>18 on the phone. When I spoke to them -- and I</p> <p>19 believe I spoke to them on a couple of</p> <p>20 occasions -- and I can't tell you exactly what</p> <p>21 their titles were.</p> <p>22 Q. Those are the same entities; correct?</p> <p>23 A. No.</p> <p>24 Q. Similar -- similar, same ownership;</p> <p>25 correct?</p>	<p style="text-align: right;">Page 33</p> <p>1 Q. They're different invoice numbers.</p> <p>2 And why do some have the description of Cordtz,</p> <p>3 and some not?</p> <p>4 A. Oh, I don't know.</p> <p>5 Q. You're telling me that they are all</p> <p>6 for Cordtz?</p> <p>7 A. Yes.</p> <p>8 Q. Have you ever done any other work for</p> <p>9 them?</p> <p>10 A. No.</p> <p>11 Q. How did they find you?</p> <p>12 A. Mark Baker was a partner of mine</p> <p>13 previously, and January Taylor worked in the --</p> <p>14 worked at the law firm Johnson & Freedman, so I</p> <p>15 know them personally.</p> <p>16 Q. But how did they know you were</p> <p>17 interested in doing this work?</p> <p>18 A. They know that I do litigation. They</p> <p>19 thought I was pretty good at what I do, and so</p> <p>20 they had a need for a co-counsel, and they</p> <p>21 called me.</p> <p>22 Q. What is your fee arrangement with</p> <p>23 them?</p> <p>24 A. It's an hourly rate.</p> <p>25 Q. Okay. Do you mind telling me how</p>

<p style="text-align: right;">Page 34</p> <p>1 much the hourly rate is?</p> <p>2 A. \$300 an hour. It could be -- I'm</p> <p>3 sorry, it could be 275. I don't remember, but</p> <p>4 it's in that range.</p> <p>5 Q. Do you have a written agreement with</p> <p>6 them?</p> <p>7 A. Not that I recall.</p> <p>8 Q. So Mark Baker just called you out of</p> <p>9 the blue five years later after you closed RCO</p> <p>10 Legal or -- I mean, after you opened Johnson --</p> <p>11 I didn't establish when RCO Legal closed. But</p> <p>12 after you opened Johnson Legal Offices, he just</p> <p>13 called you out of the blue, or have you kept in</p> <p>14 touch with him?</p> <p>15 A. We've kept in touch.</p> <p>16 Q. But not as far as legal matters? He</p> <p>17 hasn't referred you any other legal matters; is</p> <p>18 that right?</p> <p>19 A. That is correct.</p> <p>20 Q. January Taylor has not referred you</p> <p>21 any other legal matters; is that correct?</p> <p>22 A. That is correct.</p> <p>23 Q. Is it fair to say that you do</p> <p>24 foreclosure work for the Jauregui law firm as</p> <p>25 well as the home -- the State Home Mortgage?</p>	<p style="text-align: right;">Page 36</p> <p>1 attorney -- I'm sorry. Scratch that.</p> <p>2 You believe the statutory attorney's</p> <p>3 fee is fair, even though it is above the actual</p> <p>4 reasonable attorney's fees, "yes" or "no"?</p> <p>5 A. I consider it to be reasonable</p> <p>6 because it defines reasonable in the statute.</p> <p>7 The Georgia legislature has defined it to be</p> <p>8 reasonable in the statute. There is lot of</p> <p>9 case law on that.</p> <p>10 Q. My understanding was that that was</p> <p>11 the cap. It was not -- it was not -- that's</p> <p>12 the most that are -- that's allowed to be</p> <p>13 charged, but not -- not -- not more, but it</p> <p>14 could be less.</p> <p>15 A. I don't know if that is true or not.</p> <p>16 Q. When Jauregui uses you for debt</p> <p>17 collection services, how often do they put your</p> <p>18 name in a letter similar to the one that I</p> <p>19 attached in my opposition to your motion to</p> <p>20 dismiss the amended complaint?</p> <p>21 A. I don't believe I do debt collection</p> <p>22 services for them. So I don't know if I can</p> <p>23 answer the question because I provide them</p> <p>24 legal advice.</p> <p>25 Q. How often is your name inserted in a</p>
<p style="text-align: right;">Page 35</p> <p>1 A. No. I give them legal advice, but</p> <p>2 they actually handle the foreclosure.</p> <p>3 Q. My understanding is that the hearing</p> <p>4 a couple of weeks ago -- maybe last -- maybe it</p> <p>5 was last week, you asked for about 30,000 in</p> <p>6 attorney's fees for the collection case for</p> <p>7 Mr. Cordtz.</p> <p>8 A. Yes.</p> <p>9 Q. Who would get those attorney's fees?</p> <p>10 A. The judgment would be on behalf of</p> <p>11 the client in that case. And so the client</p> <p>12 that we asked for that was on behalf of</p> <p>13 Wilmington Savings as trustee.</p> <p>14 Q. And would they give you those</p> <p>15 attorney's fees?</p> <p>16 A. I don't know.</p> <p>17 Q. Are you expecting them?</p> <p>18 A. I'm not expecting them.</p> <p>19 Q. Do you think it's fair to ask for</p> <p>20 more attorney's fees than actually were</p> <p>21 incurred?</p> <p>22 A. I don't know what that means. That</p> <p>23 is a statutory attorney's fee allowed under</p> <p>24 Georgia law.</p> <p>25 Q. And you believe the statutory</p>	<p style="text-align: right;">Page 37</p> <p>1 letter similar to the one that was sent to the</p> <p>2 debtor in that case?</p> <p>3 A. I'm not aware of my personal name</p> <p>4 being included in any letter.</p> <p>5 Q. So you didn't allow your name to be</p> <p>6 used in that letter?</p> <p>7 A. I have not seen any letter where they</p> <p>8 used my personal name.</p> <p>9 Q. Johnson Legal Offices? Did you --</p> <p>10 A. So, you know, if you're asking about</p> <p>11 Johnson Legal Offices, I was confused by your</p> <p>12 question.</p> <p>13 Q. I see. So Johnson Legal Offices --</p> <p>14 A. So what is your question?</p> <p>15 Q. Did you allow Jauregui to use your</p> <p>16 name within the letter?</p> <p>17 A. If you're talking about when you say</p> <p>18 "your name, Johnson Legal Offices"? Yes.</p> <p>19 Q. I'm sorry?</p> <p>20 A. Yes.</p> <p>21 Q. How many letters did you allow your</p> <p>22 name to be inserted on?</p> <p>23 A. I don't know the number, but it has</p> <p>24 not been a lot. When you say "your name", just</p> <p>25 to be clear, it's Johnson Legal Offices.</p>

<p style="text-align: right;">Page 38</p> <p>1 Q. Johnson Legal Offices. And that one</p> <p>2 is, would you say more than 20?</p> <p>3 A. Probably more than 20, yes.</p> <p>4 Q. More than 100?</p> <p>5 A. I don't think it's anywhere close to</p> <p>6 100.</p> <p>7 Q. Do you plan on doing more debt</p> <p>8 collection work for McMichael Taylor?</p> <p>9 A. So I don't know how to answer that</p> <p>10 question. I don't do debt collection work for</p> <p>11 them.</p> <p>12 Q. Do you plan on engaging, in similar</p> <p>13 circumstances to Mr. Cordtz, to represent</p> <p>14 lenders against Mr. Cordtz with McMichael --</p> <p>15 A. I do not plan on that.</p> <p>16 Q. Do you have systems in place to</p> <p>17 prevent FTCPA violations?</p> <p>18 A. It is just me. I'm the only person</p> <p>19 here. So I rely on my own knowledge and</p> <p>20 training.</p> <p>21 Q. Prior to the January Fulton lawsuit,</p> <p>22 how did you calculate the balance owed?</p> <p>23 A. I took the amount that was provided</p> <p>24 to me by the client and I -- I guess they gave</p> <p>25 me per diem, like they did in the affidavit</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. What was the date of default?</p> <p>2 A. Based on his complaint, he was in</p> <p>3 default before September of 2012. I don't know</p> <p>4 how familiar you are with the Gwinnett case,</p> <p>5 but the lawsuit alleges there was a settlement</p> <p>6 offer made to them in September of 2012 for a</p> <p>7 reduced amount for them to pay off the loan and</p> <p>8 gave them 30 days. And prior to that time</p> <p>9 he -- Mr. Cordtz was already in default. So</p> <p>10 certainly, in September 2012 he was in default</p> <p>11 and never made a payment after that.</p> <p>12 Q. How did you know the amount that he</p> <p>13 owed in September 2012?</p> <p>14 A. That was provided to me by the</p> <p>15 client.</p> <p>16 Q. Did you see any statements?</p> <p>17 A. No.</p> <p>18 Q. Did you rely exclusively on the</p> <p>19 client?</p> <p>20 A. No. I had documentation indicating</p> <p>21 what the -- what the principal amount was owed.</p> <p>22 Q. What is that documentation showing</p> <p>23 the principal amount owed?</p> <p>24 A. How much, you mean?</p> <p>25 Q. Yeah.</p>
<p style="text-align: right;">Page 39</p> <p>1 that I provided to you, and so I would have to</p> <p>2 count the days and multiply that by the per</p> <p>3 diem.</p> <p>4 Q. How did you calculate the April</p> <p>5 letter that was sent to Mr. Cordtz?</p> <p>6 A. So that one I actually calculated</p> <p>7 from his initial default, which was -- my</p> <p>8 understanding is was in 2012. But the client</p> <p>9 calculated it, as you can see from the</p> <p>10 affidavit I provided to you, from 2015. So</p> <p>11 while they could have asserted more interest</p> <p>12 than they did they, they had a three-year</p> <p>13 additional amount of interest they decided not</p> <p>14 to seek.</p> <p>15 Q. That's why the three years makes up</p> <p>16 the \$80,000?</p> <p>17 A. I don't know how much it makes up.</p> <p>18 It makes up a lot.</p> <p>19 Q. So would you say that letter is the</p> <p>20 wrong amount?</p> <p>21 A. That is not the amount that they</p> <p>22 wanted me to pursue in the ultimate summary</p> <p>23 judgment motion I filed in Gwinnett County.</p> <p>24 Q. Was that the amount owed?</p> <p>25 A. I believe that it was.</p>	<p style="text-align: right;">Page 41</p> <p>1 A. It was the amount that was included</p> <p>2 in the affidavit that I provided to you.</p> <p>3 Q. What was that documentation you</p> <p>4 reviewed?</p> <p>5 A. It was a documentation from, I</p> <p>6 believe, it was FDIC, on a document of</p> <p>7 transfer. It wasn't the actual assignment.</p> <p>8 But it was a transfer document where they</p> <p>9 transferred a bunch of loans, like a bunch. So</p> <p>10 the Cordtz loan was one of those, and it</p> <p>11 included the principal amount owed.</p> <p>12 Q. Did it strike you that the number was</p> <p>13 kind of like a round number, the 197.5 or</p> <p>14 198.5, did that strike you that it was a round</p> <p>15 number?</p> <p>16 A. No, it didn't.</p> <p>17 Q. That it ends in zeros like that?</p> <p>18 A. If you read the actual loan document,</p> <p>19 they -- it appears to read like an interest</p> <p>20 only. So when you take a loan, and then you</p> <p>21 pay money back, it is only for the interest</p> <p>22 that was owed. So typically, loans are in</p> <p>23 round numbers like that. And if your</p> <p>24 payments -- the principal amount is going to be</p> <p>25 a round number like that.</p>

<p style="text-align: right;">Page 42</p> <p>1 Q. I see. Do you agree that the FTCPA</p> <p>2 prohibits sending a letter to a consumer while</p> <p>3 he is represented by counsel?</p> <p>4 A. Not in every case.</p> <p>5 Q. What would those cases be that it</p> <p>6 doesn't apply?</p> <p>7 A. Well, the FTCPA doesn't apply to</p> <p>8 every letter that goes to a borrower.</p> <p>9 Q. What about the letter specifically</p> <p>10 that you sent Mr. Cordtz in April 2021? Does</p> <p>11 the FTCPA apply to that letter?</p> <p>12 A. I don't believe that I'm a debt</p> <p>13 collector under the FTCPA. So I don't believe</p> <p>14 it would apply to that letter.</p> <p>15 Q. If you were a debt collector, and I'm</p> <p>16 not saying that you are, would you be allowed</p> <p>17 to contact a consumer who is represented by</p> <p>18 counsel?</p> <p>19 A. I'm not 100 percent sure on that. I</p> <p>20 mean, because counsel was copied on that letter</p> <p>21 and was aware of it.</p> <p>22 Q. Was there any special reason that it</p> <p>23 had to go to him, the communication had to go</p> <p>24 to him?</p> <p>25 A. Just that it's required under the</p>	<p style="text-align: right;">Page 44</p> <p>1 A. Because I don't remember answering...</p> <p>2 Q. 37.</p> <p>3 A. Do you want to read that to me? I'm</p> <p>4 sorry.</p> <p>5 Q. Sure. "Defendant JLO" -- I'm sorry.</p> <p>6 "Admit that your income is greater than 100,000</p> <p>7 for the year 2020. "</p> <p>8 "Response: Defendant JLO and</p> <p>9 defendant LWJ respond to this request as</p> <p>10 follows: Defendant JLO and defendant LWJ deny</p> <p>11 that defendant LWJ had a net income greater</p> <p>12 than 100,000 for the year 2020. "</p> <p>13 "Defendant JLO and defendant LWJ deny</p> <p>14 the remaining allegations contained in request</p> <p>15 number 37."</p> <p>16 A. So there's different kinds of income.</p> <p>17 So I was referred a net income, and so my net</p> <p>18 income was that amount.</p> <p>19 Q. I'm sorry.</p> <p>20 A. I believe you asked if my net income</p> <p>21 was greater than 100. And my response was, I</p> <p>22 denied that it was greater than 100.</p> <p>23 Q. Okay. You're denying that it is</p> <p>24 greater than 100; is that right?</p> <p>25 A. That is right.</p>
<p style="text-align: right;">Page 43</p> <p>1 statutes.</p> <p>2 Q. Had you provided the attorney's fees</p> <p>3 notice prior to that April letter?</p> <p>4 A. I believe so.</p> <p>5 Q. Was it required under the statute?</p> <p>6 A. I don't know -- I don't know a thing</p> <p>7 in the statute that says you can't provide</p> <p>8 multiple notices.</p> <p>9 Q. But you know that it was required?</p> <p>10 A. I don't know how to answer that</p> <p>11 question. As far as legal goes, it wasn't</p> <p>12 prohibited. There is notice that it is</p> <p>13 required, so I don't know how else to answer</p> <p>14 that question.</p> <p>15 Q. Do you know the professional rules of</p> <p>16 responsibility say you should not contact a</p> <p>17 represented party?</p> <p>18 A. I'm not sure which rule you're</p> <p>19 referring to. I felt like my letter was in</p> <p>20 compliance with the laws.</p> <p>21 Q. In discovery responses, I saw that it</p> <p>22 said that you earned less than \$100,000 for the</p> <p>23 year 2020; is that right?</p> <p>24 A. Can you refer me to the question?</p> <p>25 Q. Sure.</p>	<p style="text-align: right;">Page 45</p> <p>1 Q. And if we added up these Cordtz</p> <p>2 amounts, the amounts that you were paid for</p> <p>3 Cordtz, it's about \$10,000; is that right?</p> <p>4 A. Your -- that's why I was very</p> <p>5 specific in my response. There is gross income</p> <p>6 and there is net income.</p> <p>7 Q. Okay.</p> <p>8 A. Net income is you take the gross</p> <p>9 income and you deduct all your expenses and</p> <p>10 everything out of it. So that's why I refer to</p> <p>11 it as net income.</p> <p>12 Q. What is your total net income, if you</p> <p>13 don't mind?</p> <p>14 A. I don't -- what -- I don't know</p> <p>15 recall for the specific year, but I know it was</p> <p>16 less than 100 grand for that year, because I</p> <p>17 looked at it back then.</p> <p>18 Q. Do you expect 2021 to be greater than</p> <p>19 100 or less than 100?</p> <p>20 A. You know, I'm not sure because it</p> <p>21 depends on expenses.</p> <p>22 Q. How did you create the April 2021</p> <p>23 letter to Mr. Johnson?</p> <p>24 A. Mr. Cordtz?</p> <p>25 Q. Sorry. Yes.</p>

<p style="text-align: right;">Page 46</p> <p>1 A. On my computer.</p> <p>2 Q. Okay. And how was the content</p> <p>3 created?</p> <p>4 A. I typed it.</p> <p>5 Q. Where did you get the content from?</p> <p>6 A. From the statute.</p> <p>7 Q. Was it an original letter or you had</p> <p>8 the basic format of the letter and you just</p> <p>9 incorporated the basic format of the letter to</p> <p>10 the letter to Mr. Johnson?</p> <p>11 A. To Mr. Cordtz?</p> <p>12 Q. I'm sorry, I need a break.</p> <p>13 A. Do you want to take a break?</p> <p>14 Q. We could go for -- just answer this</p> <p>15 question, and then take five minutes.</p> <p>16 A. I don't recall.</p> <p>17 Q. You don't recall where the content of</p> <p>18 that letter came from?</p> <p>19 A. No, I don't recall if I used another</p> <p>20 letter.</p> <p>21 Q. I see.</p> <p>22 A. Or if I drafted it from scratch. I</p> <p>23 don't remember.</p> <p>24 MR. WEXLER: Can we take five</p> <p>25 minutes?</p>	<p style="text-align: right;">Page 48</p> <p>1 were -- when the bond company had a lawsuit</p> <p>2 filed against it, and I defended them in that</p> <p>3 lawsuit.</p> <p>4 Q. What do you do for the bond company</p> <p>5 now?</p> <p>6 A. I do marketing, so I try to convince</p> <p>7 other people to use the bond company for their</p> <p>8 surety bonds.</p> <p>9 Q. But nothing else besides marketing?</p> <p>10 A. That's right. Other than that one</p> <p>11 case. I defended them in a case.</p> <p>12 Q. And when you do work for Jauregui or</p> <p>13 McMichael Taylor, or the home properties, what</p> <p>14 do you tell the bond company, that you're just</p> <p>15 not able to work today, or how do you excuse</p> <p>16 yourself from working for that company with</p> <p>17 other work?</p> <p>18 A. That is our arrangement.</p> <p>19 Q. So the arrangement is, you're allowed</p> <p>20 to do other work whenever you please or...</p> <p>21 A. Yes. Can I clarify one other thing?</p> <p>22 Q. Sure.</p> <p>23 A. There was another matter that I gave</p> <p>24 some legal advice to McMichael, the firm -- is</p> <p>25 that the name of the firm?</p>
<p style="text-align: right;">Page 47</p> <p>1 (Thereupon, a brief recess was taken.)</p> <p>2 BY MR. WEXLER:</p> <p>3 Q. How did you meet the Jauregui law</p> <p>4 firm? How were you introduced to them?</p> <p>5 A. So they actually assisted us, Johnson</p> <p>6 & Freedman and RCO Legal, with matters in</p> <p>7 Alabama.</p> <p>8 Q. Is that why you're the registered</p> <p>9 agent of that company?</p> <p>10 A. I don't know.</p> <p>11 Q. Why are you the registered agent of</p> <p>12 that company?</p> <p>13 A. I didn't remember that I was, but if</p> <p>14 I am a registered agent, they would have asked</p> <p>15 me and I would have said okay.</p> <p>16 Q. Do you have any ownership interest in</p> <p>17 that company?</p> <p>18 A. No.</p> <p>19 Q. What does the bond company do?</p> <p>20 A. It only handles surety bonds.</p> <p>21 Q. Does it ever do collections work?</p> <p>22 A. No.</p> <p>23 Q. Don't you have to sometimes collect</p> <p>24 the bond that is paid?</p> <p>25 A. No. I represented them when they</p>	<p style="text-align: right;">Page 49</p> <p>1 Q. Okay.</p> <p>2 A. And it was a matter where they were</p> <p>3 in litigation, but I never entered an</p> <p>4 appearance on that, and I gave them some</p> <p>5 advice. And so there was the second matter and</p> <p>6 I wanted to clarify that.</p> <p>7 Q. Was that litigation -- what type of</p> <p>8 litigation was that, just very generally?</p> <p>9 A. I believe they're defending their</p> <p>10 client in a matter where they have been sued by</p> <p>11 a company that was -- that had a commercial</p> <p>12 loan. But I never entered an appearance in the</p> <p>13 case, but I did review some things and give</p> <p>14 them my thoughts on some legal matters.</p> <p>15 MR. WEXLER: I think this is it. I</p> <p>16 don't have any anything else.</p> <p>17 THE WITNESS: I don't know if Mark</p> <p>18 has any questions.</p> <p>19 MR. BAKER: I do not have any</p> <p>20 questions.</p> <p>21 (Time Noted: 3:13 p.m.)</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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1 CERTIFICATE

2

3 I, the undersigned authority, hereby

4 certify that the foregoing transcript, page 1

5 through 49 is a true and correct transcription

6 of the deposition of Larry Johnson taken before

7 me at the time and place set forth on the title

8 page hereof.

9 I further certify that said witness

10 was duly sworn by me according to law.

11 I further certify that I am not of


12 counsel to any of the parties to said cause or

13 otherwise interested in the event thereof.

14 IN WITNESS WHEREOF I hereunto set my

15 hand and affix official seal this 15th day of

16 September, 2021.

17 

18 _____

19 RANDI GARCIA, COURT REPORTER, RPR

20 NOTARY PUBLIC

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1 ERRATA SHEET

2 Priority-One/Veritext

3 JOB # 4798910

4 ATTACH TO DEPO OF: LARRY JOHNSON

5 Case: CORDTZ v. JOHNSON LEGAL OFFICES, LLC, et al.

6 Date of Depo: 9/13/2021

7 Instructions: Please read this copy of your

8 deposition and make note of any errors in the

9 transcription on this page. DO NOT mark on the

10 transcript itself. Sign and date errata sheet

11 Thank you.

12

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25 Date _____

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1 I have read the foregoing transcript of my

2 deposition and find it to be true and

3 accurate to the best of my knowledge and

4 belief.

5

6

7

8 _____

9 LARRY JOHNSON

10 Sworn and subscribed to before me on

11

12 this _____ day

13 of _____ 2021.

14

15

16

17 Notary _____

18 My Commission Expires _____

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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